

# Memorandum



**Date:** September 4, 2012

Agenda Item No. 5(K)

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Falck Southeast II, Corp. d/b/a AMC Medical Transportation Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30065

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30065 from Medical Transportation Management, Corp. to Falck Southeast II, Corp. d/b/a AMC Medical Transportation.

## **SCOPE**

This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

## **FISCAL IMPACT/FUNDING SOURCE**

Licensing, operating permit and inspection fees are collected by the Department of Regulatory and Economic Resources to support regulatory activities. There is an annual regulatory fee of \$625 per certificate and \$625 per vehicle that will yield \$1,250 in revenue annually if the company operates only one (1) vehicle. Passenger Motor Carrier certificate holders can operate an unlimited number of vehicles under the certificate. Vehicle inspections are \$38 per vehicle.

## **TRACK RECORD/MONITOR**

Falck Southeast II, Corp. is the sole shareholder of Medical Transportation Management, Corp. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. Joe Mora, Division Director within the Department of Regulatory and Economic Resources, will be responsible for monitoring this company.

## **BACKGROUND**

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code.

Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the public hearing. The Board may approve or refuse to approve said transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

Medical Transportation Management, Corp. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30065 to Falck Southeast II, Corp. d/b/a AMC Medical Transportation. Transferred on April 17, 2012, via Resolution R-337-12 (Attachment A), PMC No. 30065 authorizes contract carrier service. This class of service is defined as any passenger motor carrier who is not a

common carrier and who repeatedly or continuously transports persons for compensation under written contracts with one or more persons.

The company is required to adhere to the terms of the resolution, which approved the certificate. Falck Southeast II, Corp. d/b/a AMC Medical Transportation, located at 6605 NW 74 Ave, Miami, Florida 33166, seeks to continue providing this class of service by transporting resident groups to and from various locations throughout Miami-Dade County 24-hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule (Attachment B).

The management plan submitted by Mr. Robert F. Heffner, President of Falck Southeast II, Corp. d/b/a AMC Medical Transportation, includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Transfer Agreement (Attachment C) between Falck Southeast II, Corp. d/b/a AMC Medical Transportation and Medical Transportation Management, Corp. establishes the acquisition by Falck Southeast II, Corp. d/b/a AMC Medical Transportation of Passenger Motor Carrier Certificate of Transportation No. 30065 for a total price of \$10.00.



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Jack Osterholt  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** September 4, 2012

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 5 (K)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5 (K)  
9-4-12

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF  
TRANSPORTATION NO. 30065 FROM MEDICAL  
TRANSPORTATION MANAGEMENT, CORP. TO FALCK  
SOUTHEAST II, CORP. D/B/A AMC MEDICAL  
TRANSPORTATION TO PROVIDE CONTRACT CARRIER  
SERVICE AS A PASSENGER MOTOR CARRIER

**WHEREAS**, this board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 30065 from Medical Transportation Management, Corp. to Falck Southeast II, Corp. d/b/a AMC Medical Transportation to provide contract carrier service is approved. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under a written contract with one (1) or more persons.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of September, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency.



Bruce Libhaber

By: \_\_\_\_\_  
Deputy Clerk



OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

ATTACHMENT A

Memorandum



Date: April 17, 2012

Agenda Item No. 8(N) (1)

To: Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

From: Carlos A. Gimenez  
Mayor

Subject: Medical Transportation Management, Corp. Application for a Transfer of Passenger Motor  
Carrier Certificate of Transportation No. 30065 Resolution No. R-337-12

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30065 from American Medical Transportation, Inc. to Medical Transportation Management, Corp.

**SCOPE**

This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

**FISCAL IMPACT/FUNDING SOURCE**

Licensing, operating permit and inspection fees are collected by the Sustainability, Planning and Economic Enhancement Department to support regulatory activities. There is an annual regulatory fee of \$625 per certificate and \$625 per vehicle that will yield \$1,250 in revenue annually if the company operates only one (1) vehicle. Passenger Motor Carrier certificate holders can operate an unlimited number of vehicles under the certificate. Vehicle inspections are \$38 per vehicle.

**TRACK RECORD/MONITOR**

Applicant is an existing service provider with forty-one (41) Nonemergency Certificates. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. The Sustainability, Planning and Economic Enhancement Department will be responsible for monitoring this company.

**BACKGROUND**

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code.

Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the public hearing. The Board may approve or refuse to approve said transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

American Medical Transportation, Inc. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30065 to Medical Transportation Management, Corp. Originally issued on July 25, 1989, via Resolution R-842-90 (Attachment A), PMC No. 30065 authorizes contract carrier service. This class of service is defined as any passenger motor carrier who is not a common carrier

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and who repeatedly or continuously transports persons for compensation under written contracts with one or more persons.

The company is required to adhere to the terms of the resolution, which approved the certificate. Medical Transportation Management, Corp., located at 6605 NW 74 Ave, Miami, Florida 33166, seeks to continue providing this class of service by transporting resident groups to and from various locations throughout Miami-Dade County 24 hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule (Attachment B).

The management plan submitted by Mr. Robert F. Heffner, President of Medical Transportation Management, Corp., includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Transfer Agreement (Attachment C) between Medical Transportation Management, Corp. and American Medical Transportation, Inc., establishes the acquisition by Medical Transportation Management, Corp. of Passenger Motor Carrier Certificate of Transportation No. 30065 for a total price of \$10.00.

  
Deputy Mayor

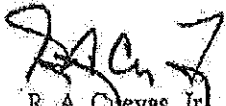


# MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

DATE: April 17, 2012

FROM:   
R. A. Cuevas, Jr.  
County Attorney

SUBJECT: Agenda Item No. 8(N)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_\_, 3/5's \_\_\_\_\_, unanimous \_\_\_\_\_) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required



Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(N)(1)  
4-17-12

RESOLUTION NO. R-337-12

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30065 FROM AMERICAN MEDICAL TRANSPORTATION, INC. TO MEDICAL TRANSPORTATION MANAGEMENT, CORP. TO PROVIDE CONTRACT CARRIER SERVICE AS A PASSENGER MOTOR CARRIER

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 30065 from American Medical Transportation, Inc. to Medical Transportation Management, Corp. to provide contract carrier service is approved. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under a written contract with one (1) or more persons.

The foregoing resolution was offered by Commissioner Rebeca Sosa who moved its adoption. The motion was seconded by Commissioner Audrey Edmonson and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	aye
Audrey M. Edmonson, Vice Chairwoman	aye
Bruno A. Barreto	aye
Lynda Bell	aye
Esteban L. Boyo, Jr.	aye
Jose "Pepe" Diaz	absent
Sally A. Heyman	aye
Barbara J. Jordan	absent
Jean Monestime	aye
Dennis C. Moss	aye
Rebeca Sosa	aye
Sen. Javier D. Souto	absent
Xavier L. Suarez	absent

The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of April, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK



Approved by County Attorney as  
to form and legal sufficiency *GKS*

Gerald K. Sanchez thereupon

By: Christopher Agrippa  
Deputy Clerk



# MEDICAL TRANSPORTATION

NON-EMERGENCY

WHEELCHAIR • STRETCHER • AMBULATORY

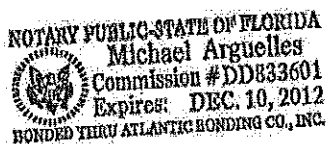
## ATTACHMENT B

Transportation Rates		
AMBULATORY RESPONSE		\$30.00
AMBULATORY RATE PER MILE		\$2.75
WHEELCHAIR RESPONSE		\$65.00
WHEELCHAIR RATE PER MILE		\$2.75
STRETCHER RESPONSE		100.00
STRETCHER RATE PER MILE		\$4.25
WAITING TIME (EVERY ½ HOUR)		\$30.00
SPECIAL HANDLING		\$20.00

Signature  
Robert Heffner

State of Florida  
County of Dade

The foregoing was acknowledged before me this 6<sup>th</sup> day of August, 2012 by Robert Heffer who is personally known to me.



Notary Seal:

  
Notary Public, State of Florida  
Michael Arguelles

AGREEMENT TO TRANSFER PASSENGER MOTOR CARRIER CERTIFICATIONMIAMI-DADE COUNTY

THIS AGREEMENT TO TRANSFER PASSENGER MOTOR CARRIER CERTIFICATION (the "Agreement") is made and entered into as of the \_\_\_\_\_ day of August, 2012 ("Execution Date") by and between Medical Transportation Management Corporation (d/b/a AMC Medical Transportation) (the "Transferor") and Falck Southeast II, Corp., (d/b/a AMC Medical Transportation) (the "Transferee") (collectively, the "Corporations").

RECITALS

WHEREAS, the Transferor is duly incorporated in the State of Florida;

WHEREAS, the Transferee is duly incorporated in the State of Delaware, and is authorized to transact business in the State of Florida;

WHEREAS, the Transferor holds a Passenger Motor Carrier Certification ("Certification") in Miami-Dade County and has agreed to transfer the Certification to the Transferee;

IN CONSIDERATION OF the Transferor transferring the Certification to the Transferee, the Corporations agree to keep, perform and fulfill the promises, conditions and agreements below:

Payment

Upon transfer of the Certification from the Transferor to the Transferee, the Transferee shall pay Transferor \$10.00 in consideration of said transfer, the adequacy of which is without dispute.

IN WITNESS WHEREOF, the parties, signing for the Corporation, have duly affixed their signatures on this \_\_\_\_\_ day of August, 2012.

Medical Transportation Management Corp.  
(d/b/a AMC Medical Transportation)

  
Raul Medina

  
Witness

Falck Southeast II, Corp.  
(d/b/a AMC Medical Transportation)

  
Robert "Boo" Heffner

  
Witness

must be made available for inspection and copying within one (1) business day of such request by the CSD or any police agency during regular business hours and shall be retained for one (1) year;

- (5) Shall maintain a log of all customer complaints;
- (6) Shall maintain quarterly vehicle accident records for all vehicles operated in the prior quarter;
- (7) Shall not refuse to dispatch or neglect to dispatch a request to transport to or from any place in the county, any orderly person requesting service;
- (8) Shall hold any personal property deposited in the lost and found facility for a period of six (6) months, at the end of which time the personal property shall become the property of the finder. A record of personal property reported to or deposited at the lost and found facility shall be kept for at least one (1) year; and
- (9) Shall comply with all applicable obligations of the for-hire license holder when acting as his, her or its agent.

(1) *Responsibility for violations of chapter* The holder of a passenger service company registration or any person providing passenger services directly shall be responsible for any violation of this chapter involving passenger services and shall be subject to the penalties provided for in this chapter for any such violation. In addition, the registration shall be subject to suspension or revocation for any such violation. Charges against or penalties imposed on a for-hire license holder or for-hire chauffeur for the same or related offense shall not relieve the passenger service company of its responsibilities or liabilities under this chapter. Violations shall be punishable as provided in this chapter.

(Ord. No. 98-105, § 1, 7-9-98; Ord. No. 01-178, § 1, 11-6-01; Ord. No. 03-45, § 1, 3-11-03)

### ARTICLE III. PASSENGER MOTOR CARRIERS\*

#### Sec. 81-101. Transportation policy.

To assure the development and maintenance of a safe, healthy and efficient passenger transportation system for Miami-Dade County, the Commission, County Manager and County staff, in carrying out the duties and responsibilities prescribed in this article, shall consider the following as being in the public interest:

- (1) Reliance on market forces and on actual and potential competition among all transportation modes, so as to provide transportation services at competitive prices.
- (2) Coordination of regulatory decision-making with the transportation improvement plan, and the orderly development of an integrated transportation/transit system for Miami-Dade County so as to ensure the development and maintenance of a transportation/transit system responsive to the needs of the public, in which regulatory decisions are reached fairly and expeditiously, and with consideration of their costs and benefits.
- (3) Improvement of motor vehicle safety.
- (4) Achievement of County, national and State energy conservation goals.
- (5) Reduced concentration of market power, and prevention of unfair, deceptive, predatory or anticompetitive practices.
- (6) Reduction of restrictive regulatory barriers to entry into the industry and promotion of equal opportunities.
- (7) Promotion of the safety and welfare of the residents and visitors of Miami-Dade County who use the services of passenger motor carriers to meet their transportation needs.

\*Editor's note—Ord. No. 81-17, adopted Feb. 17, 1981, did not specify manner of codification; therefore, inclusion of §§ 2-16 as Art. III, §§ 81-101-81-115, has been at the editor's discretion.